

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DON A. WEBSTER JR.,

Petitioner,

No. 3:15-cv-00953-CL

v.

MARION FEATHERS,

ORDER

Respondent.

HERNÁNDEZ, District Judge:

Magistrate Judge Clarke issued a Findings and Recommendation [24] on August 16, 2016, in which he recommends that this Court deny Petitioner's petition for a writ of habeas corpus [1] and dismiss this proceeding with prejudice. Additionally, Magistrate Judge Clarke recommends that this Court deny Petitioner a certificate of appealability. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings & Recommendation. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's

report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


I have carefully considered Plaintiff's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Clarke's Findings & Recommendation [24]. Accordingly, this case is dismissed with prejudice. In addition, the Court denies a certificate of appealability. Any other pending motions are denied as moot.

IT IS SO ORDERED.

DATED this 4 day of November, 2016.

  
MARCO A. HERNÁNDEZ  
United States District Judge